



CBS NEWS
2020 M Street, N. W.
Washington, D. C. 20036

FACE THE NATION
as broadcast over the
CBS Television Network
and the
CBS Radio Network
Sunday, August 29, 1976 -- 11:30 AM - 12:00 Noon, EDT
Origination: Washington, D. C.

GUEST: W. MARK FELT
Former Associate Director
Federal Bureau of Investigation

REPORTERS:

Marya McLaughlin, CBS News
Ronald J. Ostrow, The Los Angeles Times
Fred Graham, CBS News

Producer: Mary O. Yates

Associate Producer: Joan Barone

EDITORS: All copyright and right to copyright in this transcript and in the broadcast are owned by CBS. Newspapers and periodicals are permitted to reprint up to 250 words of this transcript for the purpose of reference, discussion or review. For permission to reprint more than this, contact Director, CBS News Information Services, 524 W. 57th Street, New York, N. Y. 10019 (212) 765-4321.

McLAUGHLIN: Mr. Felt, you are a former number two man at the Federal Bureau of Investigation. Now you've admitted at least one break-in, aimed at the Weathermen, in 1972, without warrant. How can you legally and morally justify that action?

MR. FELT: Of course, there's no question about the facts. I've admitted the facts. The question is whether or not it's legally and morally justified. And the answer is a rather long answer, and I would like to say, before getting into that question, which will take me a little longer to answer, is the fact that everybody advised me against coming on this show, which my wife and I watch every week, incidentally; but they they all said, you have everything to lose and nothing to gain--said the prosecutor will use anything you say against you. Everybody but two told me that, and they--they are two of my closest confidants; one is my wife, Audrey, and the other is Ladislav Farago, who is writing a biography of Hoover. And both of them said no; they said, you have to do it, because somebody has to come forward and stick up for the FBI. It's cheap to criticize the FBI now. And actually, the FBI is a wonderful organization, a magnificent organization, filled with wonderful, wonderful people. And yet it's being attacked from every angle.

ANNOUNCER: From CBS News, Washington, a spontaneous and unrehearsed news interview on FACE THE NATION, with former Associate Director of the Federal Bureau of Investigation, W. Mark Felt. Mr. Felt will be questioned by CBS News Law Correspondent Fred Graham, by Justice Department Correspondent for The Los Angeles Times, Ronald J. Ostrow, and by CBS News Correspondent Marya McLaughlin.

McLAUGHLIN: Mr. Felt, now that you are here in our clutches,

against all the good advice you had, and now you have a little time, what about the break-ins in 1972 against the Weathermen without warrant?

MR. FELT: I think you have to put things into their proper perspective. In other words, you have to find out what the FBI was trying to do. And as I say, I'm not denying approving these. But I'd like to call your attention to this little publication, which is organized and prepared in Cuba. It's smuggled into the United States from New Orleans, and reproduced--copies are reproduced in Seattle and Oakland. This is called Osawatomie. (HELD UP MAGAZINE) This is the publication of the Weathermen underground. They claim to be communists; of course, that's not too serious a charge in these days. But they claim responsibility for hundreds of bombings, for arson; they claim responsibility for the bombing of the Capitol, the bombing of the Pentagon, the bombing of HEW, and many others. Now you're either going to have an FBI that tries to stop the violence before it happens, or you're not. And I suspect that it will be up to Congress now to make a decision. But personally, I think this is justified, and I'd do it again tomorrow.

OSTROW: Well, on that legal-moral justification point, Mr. Felt, if it is justifiable for the police to decide themselves to break in without a warrant, why, then, did Mr. Hoover call off this practice in 1966?

MR. FELT: That is a rather involved question too. I think he felt that he didn't have the support of the Attorney General and the President. And of course, the break-ins involved much more than-- than what we're talking about here. I mean, the--actually, the bulk of

the break-ins were in connection with a program called Anagram, which was the stealing of cryptographic material from foreign embassies and foreign consulates. This didn't benefit the FBI in any way at all. It helped the National Security Agency and the Central Intelligence Agency, and I think that Hoover felt, in the absence of any support from the White House and from the Attorney General, that he was going to stop it.

GRAHAM: Well--but as I understand it, what you're telling us is that after Mr. Hoover died, and Pat Gray was then the Acting Director of the FBI, you took it upon yourself, I believe, to authorize at least one break-in, into the Weather underground premises in New York. How can you justify yourself making that decision?

MR. FELT: On the basis of what I knew, I thought I was doing what Mr. Gray wanted. And you left out another one which I admitted, and that's the break-in of the Palestinian Liberation Organization down in Dallas. They were planning on all sorts of terrorism in the United States, and I think we stopped it because we took that action.

McLAUGHLIN: I think we were trying to separate those two items--

MR. FELT: Why separate them?

McLAUGHLIN: Well, because there has--is--there is real--I take it--I'm just going to say that--I take it from what you say that you consider the Weathermen to be controlled or to be involved very seriously with some foreign government which is trying to overthrow this--?

MR. FELT: Yes--yes, I do. The big difference is, in one case you have citizens and in the other case you have foreign nationals.

GRAHAM: Well, may I ask you about that? Do you think--let's say that the Weathermen or another group have no foreign connections--and

you knew that, but they were bombers. Would you say that the FBI people in your position should have the authority to authorize break-ins into their premises?

MR. FELT: I think so, yes, yes.

GRAHAM: Well, Mr. Felt, what does this do to the Fourth Amendment, which protects the people from unreasonable searches?

MR. FELT: Why not look at the Ninth Amendment, which says that nothing in any of the other amendments shall in any way prejudice the rights of the people as a whole. And it's a question of the greater good.

GRAHAM: So you're arguing that people like in your position--

MR. FELT: Somebody has to take the responsibility.

GRAHAM: To violate the rights of a few to safeguard the rights of the whole?

MR. FELT: I think you could put it that way, yes.

GRAHAM: So you're saying that officials in the hierarchy of the FBI, as you were, should have the legal authority to decide for themselves as to who is in a position that their rights should be the ones to be--

MR. FELT: No, no, I'm not saying that. I think what'll happen will be that laws will be passed making this sort of action acceptable if you have a court order. And this would be perfectly acceptable as far as I'm concerned.

McLAUGHLIN: Mr. Felt, you said that you did not think that Mr. Hoover had the support of the Attorney General, and therefore he said, you know, call it off. What--do you feel that Attorney Generals in general have not given support to this kind of thing throughout?

MR. FELT: No, I'm not saying that at all.

McLAUGHLIN: Tell me the Attorney Generals who have OK'd--

MR. FELT: Oh, I'm not going to name any names, but some Attorney Generals have very strongly supported this sort of thing. Others have not. Ramsey Clark, for example, would not even authorize wiretapping when it was--when it was authorized in the Omnibus Crime Bill.

OSTROW: You mean recent Attorneys General have supported break-ins?

MR. FELT: No, I'm talking about Attorney Generals in the past.

GRAHAM: Well, speaking of your specific case, you're arguing, really, for a law to--

MR. FELT: Yes.

GRAHAM: --make legal what was done, the implication being that what you did was not legal. Does that follow?

MR. FELT: I don't say it's not legal. I say it's extra-legal.

GRAHAM: Well, sir, do you expect to be indicted?

MR. FELT: I don't know. I think they have to have a scapegoat, and--

GRAHAM: Well, if you are indicted, what could be your defense? You've admitted it on Face The Nation.

MR. FELT: If I am indicted, my defense would be that the national security interest of the country was paramount, and that these are national security cases. Just--for example, here, what this says on the back of it is, defend Cuba. And you're--what you're saying is that to not take action against these people, and know of a bombing in advance, would simply be to stick your fingers in your ears and protect your eardrums when the explosion went off, and then start the

investigation.

OSTROW: But is the choice really that stark? Can't you go to an Attorney General and attempt to convince him? And certainly, the Bureau has had incredible contacts on the Hill. If it doesn't work with that Attorney General, then you go up on the Hill and you testify; you say, here's the danger, we've got to have more authority now--rather than police taking the authority in their own hands.

MR. FELT: Well, I think you're right. I think there should be legislation. But I'm simply telling you that this is what's gone on over many, many years.

GRAHAM: Well, let me ask you about that, sir. We have heard--those of us that cover the Justice Department--that in the period about--that you were at the FBI, there were also break-ins into the premises of groups that were not violence-oriented--wouldn't come under this thing that you just held up, this leaflet. Can you tell us if that happened?

MR. FELT: I'm unaware of those. I don't know about those. I've read about them in the paper too, but I was unaware of them in an official capacity.

GRAHAM: Well, then, let me ask you, were there, to your knowledge, break-ins--were there extra-legal, as you put it, wiretaps, perhaps kidnappings, other extra-legal activities by the FBI that you knew of?

MR. FELT: Not to my knowledge, no.

McLAUGHLIN: Mr. Felt, you said--you just said, when talking about whether you would be indicted, you said, well, they have to find a scapegoat. That presupposes that there--they have to find somebody to punish because people get the impression that something is wrong when

it really isn't. Something has gone wrong at the FBI, at least if no more than in the public image. We are hearing every day of a breakdown at the FBI, of financial corruption among some of the people; I'm not including you in that in any way; but many things--illegal wiretaps, kickbacks--it--something has gone wrong at the FBI, and--

MR. FELT: Well, not necessarily, not necessarily. Why don't you wait until all the facts are on the table so far as these allegations of corruption are concerned? I think perhaps they're going to find some little piddling things here and there, but this is what disturbs me so much. Everything that anybody says about the FBI is bad. Why don't we talk about all the things that the FBI stands for that are good? The corruption issue--

McLAUGHLIN: Well, I think that everybody presupposes that the FBI is good, and that's why they're so stunned when there is even a hint that something is bad. That is what you're suffering from, not--

MR. FELT: I think so.

McLAUGHLIN: I mean, you were the people that were going out and getting the big bad wolf, and the criminal with the gun, and the smuggler, and the dope peddler, and you were doing all that, and suddenly we find that you're--that the FBI may be wiretapping your next door neighbor. I mean, that is what has happened, and if it's even in the public image, something has gone wrong.

MR. FELT: Well, this is what the public image, I think, consists of about the FBI now. My daughter-in-law was worried about somebody's neighbor's phone being tapped. Well, if she's worried about it, you can imagine what the average citizen thinks; and you're right, Marya, I think that the image of the FBI has suffered terribly. I think

that the damage which has been done is going to take years to correct.

McLAUGHLIN: Do you think Mr. Kelley has done anything to correct the image of the FBI?

MR. FELT: I think he's trying to, yes.

McLAUGHLIN: Has he succeeded?

MR. FELT: I don't think so, no.

GRAHAM: Could I ask you something about Mr. Kelley? A story came out in the press last week that indeed he, when he was a younger agent, asked permission to stage a break-in, in Birmingham, Alabama in the late fifties or early sixties. Do you have any personal knowledge as to whether that's true?

MR. FELT: I have no personal knowledge about it, no.

GRAHAM: But could I ask you this? Of the hierarchy--the present hierarchy of the FBI--the people at the top--do you know how many of them have been personally involved in the kinds of break-ins that you are now a target of?

MR. FELT: No, I have no personal knowledge of that at all. The only thing that I could say that I know is what I've read in the papers.

GRAHAM: Well, what's your belief, based on the way these things operate?

MR. FELT: I suspect that they probably didn't stop them when Hoover said to stop them. This is what I suspect, but I can't prove it.

OSTROW: Who is they, on that, Mr. Felt?

MR. FELT: Well, agents working security cases.

OSTROW: Without authority from Washington?

MR. FELT: I think so, yes.

OSTROW: Did they--agents on their own would do this? I've always

thought that the Bureau was such a highly centralized--

MR. FELT: I know--

OSTROW: --responsible, almost military organization.

MR. FELT: I know, I know. And that's why--that's why it's so hard for me to realize that some of these things were going on while I was there that I didn't know about. But this is the case.

OSTROW: Well, there does seem to be a difference emerging between what you and former Assistant Director Miller recall about whether Mr. Gray--L. Patrick Gray--had a role in authorizing the '72-'73 break-ins. Mr. Miller seems to have a clear recollection that Mr. Gray said, we're going to resume the practice.

MR. FELT: Yes.

OSTROW: And you don't have any such recollection. Yet you were Mr. Gray's number two man, his principal aide. How can that be?

MR. FELT: Well, it is. I really have no strong, clear recollection of conversation with Gray where he specifically said yes, this is all right. My conversations were with Miller, and Miller told me of his conversations with Gray. However, you'd have to understand what was happening in the FBI at that time. Believe me, you were lucky to get Mr. Gray's ear for five minutes, because he was extremely busy. He was traveling all over the country. So perhaps one Assistant Director would talk to him for a few minutes today, another tomorrow, and much of what I got was second-hand.

(MORE)

McLAUGHLIN: Mr. Gray (SIC), did you ever say no to something you were asked to do at the FBI because you felt that it was illegal?

MR. FELT: Yes, several times.

McLAUGHLIN: Can you give me as a general example of that kind of thing? A wiretap or something?

MR. FELT: Well, for example, the White House asked -- called and asked me to have their report in the Dita Beard memorandum case softened and modified, and I told him no.

GRAHAM: Who at the White House called you?

MR. FELT: John Dean.

McLAUGHLIN: Who should, do you feel, have sort of the ultimate administrative authority at the FBI? I mean, does it come from the Justice Department, does it come from the White House, which may, you know, put politics into it? Where do you think it should ultimately come from?

MR. FELT: I think that the Justice Department should be a completely independent department, completely removed from politics. The positions should all be career positions, then the FBI and the other bureaus in the Department of Justice would be under a career-type individual and not under a politician. This man would be somewhat the same as a special prosecutor, because he would have no one telling him what to do from, you know, from the White House or anywhere else.

GRAHAM: Mr. Felt, a minute ago you said that you thought Clarence Kelly was trying to restore the image of the FBI, but that you didn't think that he had succeeded. Do you think that Clarence Kelly is in command over there or is it out of hand?

MR. FELT: I know nothing about it that you don't know, Fred.

GRAHAM: Well, then, let me make it more specific. He was on Face the Nation in recent weeks, and he told us that he had been deceived by people beneath him, who told him that there had been no break-ins since 1966, and then it turned out later there had been. Can you imagine -- and that he didn't know who deceived him, doesn't to this day -- but can you imagine that J. Edgar Hoover would not have been able to find out who deceived him?

MR. FELT: I think he did find out who was deceiving him, and that person left the Bureau after a big squabble with Hoover, but I can very easily see that Mr. Kelly wouldn't know about some of these break-ins because they apparently occurred while I was there and I didn't know about them.

GRAHAM: Do you think there is a post-Watergate morality going into effect here that's making people take a harsher look at some of these things than they did earlier?

MR. FELT: Definitely, definitely.

OSTROW: Jumping off the break-ins for a second, you've denied a number of times being Deep Throat, the source that Bob Woodward and Carl Bernstein credited for many of their Watergate disclosures, but there remains in some of us the notion that maybe you were a piece of it, say a hunk of the larynx or something. And what I'm wondering is whether you want to take credit at this time for helping unmask any of the Watergate cover-up?

MR. FELT: No, no, I am not Deep Throat, and the only thing I can say is that I wouldn't be ashamed to be because I think whoever helped Woodward, helped the country, no question about it.

McLAUGHLIN: Mr. Felt, there was a recent speech made by Edward J.

Tulley to some sheriffs; he asked them to fight against bureaucrats and new intelligentsia, and he said that everybody had been honing their knives for years to get the FBI, and that, you know, this whole business about difficulties in the FBI was sort of a tempest in a teapot except that he used stronger language than that. Who do you think Mr. Tulley was speaking for?

MR. FELT: I have no idea. That's the first I've heard of the remarks that are attributed to him.

GRAHAM: Would you think that that's prevailing opinion among people at the FBI, that attitude toward their role?

MR. FELT: I have no way of knowing. I've been away from the Bureau for three years, and I have very little contact there.

McLAUGHLIN: Mr. Felt, earlier, in response to a question by Fred Graham, you were talking about some new legislation. Do you think there is any need for an upgrading in agents so they are better able to understand really tricky, legal questions, so that they can act on their own without, you know, any doubt that they know legally what is wrong? I mean, do you think maybe the FBI ought to encourage more lawyers to enter in the service, maybe not as the ultimate end career, but as a middle ground. I mean, is that one of the problems, a lack of --

MR. FELT: No, I don't think so. I think that for years and years the Bureau has made a very definite point of trying to educate agents along those lines, and you'll find that it was the FBI that years and years ago started very strict observance of constitutional rights. We're talking about the criminal field. And I think the Bureau has the training and the experience and the quality of agents to handle that.

We're dealing with a very small percentage of the Bureau's work when we're talking about this Cointelpro, which the average agent out in the field probably never heard of until all this started. I hadn't heard of it. We're talking about a -- perhaps a four or five per cent of the Bureau's investigative effort, and of that four or five per cent there were, I think, 3,000 actions which were investigated by the Attorney General -- he found a few of those objectionable; in fact, I think Saxbe said they were abhorrent. Somebody else said some of them were foolish. But we're talking about just a fraction, less than one per cent, of the Bureau's investigative effort over the years that is now being criticized, so we have to put things in that perspective.

GRAHAM: Well, speaking of investigative effort being criticized by the FBI, we interviewed last week another former FBI official, Edward Morgan, who is an attorney here now, and represented Johnny Ros:selli the gangster who was murdered recently, and he told us that Ros:selli was murdered because he had been involved in these CIA plots to kill Castro, and that the FBI didn't begin to find out who really killed President Kennedy and that even to this day, if there was an FBI investigation, it might turn up the real story, as he put it, of who killed President Kennedy. Based on -- when you were there -- do you think the FBI came out with the right answer there?

MR. FELT: I think they came out with the right answer, yes.

GRAHAM: Well, isn't it true though that there were intense pressures from J. Edgar Hoover and from Nicholas Katzenbach, who was then Attorney General, to very quickly pin it all on Lee Harvey Oswald?

MR. FELT: I'm unaware of it. If there was that pressure, I certainly never heard of it.

OSTROW: Following up an earlier question by Marya, you said you had rebuffed, rejected a White House order. I'm wondering about orders within the FBI itself during Mr. Hoover's years, the years that there was a campaign to destroy Martin Luther King, the years when the evidence in the Kennedy assassination was destroyed. Did any of you assistant directors ever at any meeting throw up your hands in that policy table outside Mr. Hoover's office and say we can't do this, it's wrong for the interest of the country? Or was it just run from the top, and that didn't --

MR. FELT: I think that everybody spoke their piece. I mean, the image of the Bureau top officials being sycophants is not true at all. They had very strenuous arguments on policy consideration, but when Mr. Hoover made the decision, that was it, and when he made a decision we accepted it.

OSTROW: Wouldn't we have been better off had somebody, though, on some of these, on Martin Luther King, or on the Kennedy evidence, for example, said we can't do it, we've got to stop, and resigned in protest?

MR. FELT: I think that with regard to Martin Luther King, it would have been better, but here again, as long as you've brought that up, I'd like to point out that there are two or three things that are extremely annoying to me about the publicity; in the first place, the press knew about Martin Luther King and the FBI and the problems between them a decade ago, and now all of a sudden everybody is talking about it as if it had been just discovered. One of the worst things that was done to Martin Luther King was the so-called suicide letter. I don't think it was a suicide letter. I'm convinced Hoover didn't

know about that.

McLAUGHLIN: Mr. Felt, could you in any way bring yourself to say that the FBI suffered from too much of Mr. Hoover? In other words, that he became the FBI. I mean, it is an agency of the people; it is not a person. Can you say today that maybe there was too much Mr. Hoover?

MR. FELT: Well, let me qualify it a little bit. First, let me say that I respected and admired Mr. Hoover tremendously. I think he was a great man; I think in history he'll be one of our great leaders, no question about it. But I do think that he stayed too long, yes.

OSTROW: Are there any more bombshells smoldering in the wings that you might know of that are --

MR. FELT: None that I know of, and I sure hope there are none.

GRAHAM: We've been treated to some stories recently, a book called No Left Turn about J. Edgar Hoover and about a lot of supposed craziness that he did in his latter years. To your knowledge, is that true?

MR. FELT: Some of it is true. That man, Joseph Schott, would have written a similar book had he been in the Department of Agriculture all his life; he's a comic, he always was; and some of the things are true, like the SAC walking on his hands in his office while he had a conference -- that's true -- I know the man.

GRAHAM: Well, are you telling us then that J. Edgar Hoover wasn't quite in control of his own --

MR. FELT: No, I'm not saying that at all, I'm not saying that at all.

McLAUGHLIN: Mr. Felt, we have about 25 seconds -- do you still

oppose women as agents with the FBI?

MR. FELT: Do I still oppose it, you say?

McLAUGHLIN: Well, I'm under the impression you did originally.

MR. FELT: I did originally, and I think that the 30 or 40 agents who came into the Bureau, female agents, are doing an excellent job.

McLAUGHLIN: Thank you very much, Mr. Felt, for being with us on Face the Nation today.

ANNOUNCER: Today on FACE THE NATION, former Associate Director of the Federal Bureau of Investigation, W. Mark Felt, was interviewed by CBS News Law Correspondent Fred Graham, by Justice Department Correspondent for The Los Angeles Times, Ronald J. Ostrow, and by CBS News Correspondent Marya McLaughlin. Next week another prominent figure in the news will FACE THE NATION.